



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,363	04/15/2007	Elaine Alison Irving	PB60024USw	6175
23347 7590 09/04/2009 GLAXOSMITHKLINE CORPORATE INTELLECTUAL PROPERTY, MAI B482 FIVE MOORE DR., PO BOX 13398 RESEARCH TRIANGLE PARK, NC 27709-3398				
EXAMINER				
KOLKER, DANIEL E				
ART UNIT		PAPER NUMBER		
1649				
NOTIFICATION DATE		DELIVERY MODE		
09/04/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USCIPRTP@GSK.COM  
LAURA.M.MCCULLEN@GSK.COM  
JULIE.D.MCFALLS@GSK.COM



## UNITED STATES DEPARTMENT OF COMMERCE

## U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10550363	4/15/2007	IRVING ET AL.	PB60024USw

EXAMINER

DANIEL KOLKER

ART UNIT	PAPER
1649	20090831

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

## Commissioner for Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth below or on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

**Claims 17 and 18 are drawn to methods of using SEQ ID NO:18 and 19 respectively. These sequences appear in the specification (p. 26 line 36 - p. 27 line 14 and Figure 4) and claims as originally filed. However, neither the paper copy of the sequence listing nor the computer readable form (CRF) contain these sequences. The paper copy and the CRF each end at SEQ ID NO:17. In order to search claims which recite these sequences, a revised paper and CRF sequence listing must be submitted, as well as the required statements that the two are the same and that they do not introduce new matter. The examiner regrets that this issue was not brought up in the previous communication, however it was not apparent that claims which recite sequences did not have sequences in the paper or CRF listing.**

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

/Daniel E. Kolker/  
Primary Examiner, Art Unit 1649

<p align="center"><b>Notice to Comply</b></p>	<b>Application No.</b> 10550363	<b>Applicant(s)</b> IRVING ET AL.	
	<b>Examiner</b> DANIEL KOLKER	<b>Art Unit</b> 1649	
<p align="center"><b>NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES</b></p>			
<p>Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).</p>			
<p>The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):</p>			
<p><input checked="" type="checkbox"/> 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).</p> <p><input type="checkbox"/> 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).</p> <p><input type="checkbox"/> 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).</p> <p><input type="checkbox"/> 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."</p> <p><input type="checkbox"/> 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).</p> <p><input type="checkbox"/> 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).</p> <p><input checked="" type="checkbox"/> 7. Other:</p>			
<p><b>Applicant Must Provide:</b></p>			
<p><input checked="" type="checkbox"/> An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".</p> <p><input checked="" type="checkbox"/> An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.</p> <p><input checked="" type="checkbox"/> A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).</p>			
<p>For questions regarding compliance to these requirements, please contact:</p>			
<p>For Rules Interpretation, call (571) 272-0731 or (571) 272-0951          For CRF Submission Help, call (571) 272-2510          PatentIn Software Program Support          Technical Assistance.1-866-217-9197 or 703-305-3028 or 571-272-6845          PatentIn Software is Available At <a href="http://www.USPTO.gov">www.USPTO.gov</a></p>			
<p><b>PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY</b></p>			
/Daniel E. Kolker/ Primary Examiner, Art Unit 1649			